THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.21573 OF 2005

-

DATE: 19th JUNE 2006

-

Between:

Ovili Viswanatha Reddy,
Son of Venkatrami Reddy,
aged 49 years, Occu: Agriculture,
resident of Thoppireddygaripalli,
hemlet of Udyamanikyam village
and post, Yerravaripalem Mandal,
Chittoor District.

....Petitioner.

And

1. The Person-in-charge,
Primary Agricultural Cooperative
Society Ltd., Yerravaripalem,
Yerravaripalem Mandal,
Chittoor District and 4 others.

.... Respondents.

* * *

ORDER:

-

This writ petition is filed seeking a writ of Mandamus declaring the

resolution passed by the first respondent dated 31-08-2005, admitting 733 new members into the first respondent society, as arbitrary and illegal; and consequently to declare the inclusion of new members admitted pursuant to the Resolution dated 31.8.2005 in the voters list of the first respondent society, as arbitrary and illegal.

2. While admitting this writ petition, this Court granted interim suspension of the impugned proceedings admitting 733 new members, on 04.10.2005 in W.P.M.P.No.227706 of 2005. Aggrieved by the same, the matter was carried in writ appeal and in the writ appeal the order dated 04.10.2005 in W.P.M.P.No.27706 of 2005 was set aside. In view of the same elections were held to the first respondent society on 23.10.2005. Therefore, this court cannot adjudicate the matter and the petitioner has an effective and alternative remedy by way of approaching the authorities under the A.P. Cooperative Societies Act, 1964.

3. Leaving liberty to the petitioner to approach the authorities under the A.P. Cooperative Societies Act for agitating the admission of 733 new members into the first respondent society, the writ petition is dismissed. No costs.

_____

C.V.RAMULU, J.

Date: 19th June 2006.

BSB